

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

LARKEY-WRIGLEY, LLC, individually and
on behalf of all others similarly situated,

Civil Action No. 3:07-CV-376-RJC-CH

Plaintiff,

v.

COMMERCIAL DEFEASANCE, LLC, and
DEFEASANCE HOLDING COMPANY, LLC,

ORDER

Defendants.

Before the Court is the Defendants' consent motion pursuant to Fed. R. Civ. P. 26 to stay the Initial Attorneys' Conference ("IAC") and all discovery in this matter pending the Court's ruling on Defendants' motion to dismiss filed November 15, 2007. Upon consideration of the motion, made with the consent of Plaintiff, and for good cause shown,

IT IS HEREBY ORDERED that the Initial Attorneys' Conference and discovery generally in this matter is stayed pending the Court's final ruling on Defendants' motion to dismiss. The parties are directed to conduct the IAC within fourteen (14) days of that ruling and to submit a Certificate of IAC within five (5) days thereafter. This Order is entered without prejudice to (a) Plaintiff's right to request specific discovery relating to jurisdictional issues raised in the motion to dismiss, and Defendants' right to oppose or object to any such request; and (b) Plaintiff's right to request that the Court terminate the stay if the undersigned, or another Magistrate Judge assigned to this matter, issues a memorandum and recommendation denying Defendants' motion to dismiss, and Defendants' right to oppose or object to any such request.

Signed: November 28, 2007

SO ORDERED.

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

